

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SHASTA STRATEGIC INVESTMENT
FUN, LLC; AND PRESIDIO GROWTH
LLC, (Tax Matters Partners),

No. C 04-4264 RS and related cases.

**CASE MANAGEMENT
SCHEDULING ORDER**

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on October 4, 2012. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

The parties have requested to be exempt from Court-appointed ADR due to the complex issues involved.

2. DISCOVERY.

Limited discovery may continue through December 17, 2012. This includes:

- A. Intervenor Birch Ventures, LLC and Tom Gonzales may take discovery from NatWest Bank, including its employees or former employees.
- B. The parties may take Rule 30(b)(6) depositions of Deutsche Bank, Hypo and Vereinsbank (HvB), NatWest Bank, and KPMG.

1 C. The parties may take any other discovery to which the parties agree.

2 D. If a party wishes to take discovery other than that listed in A-C, that party will
3 request relief to do so from the Magistrate Judge to whom discovery matters
4 have been referred.

5 3. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to
6 Civil Local Rule 7. All pretrial motions shall be heard no later than **February 21, 2013**.

7 4. PRETRIAL CONFERENCE. The final pretrial conference will be held on **April**
8 **4, 2013 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
9 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend
10 personally.

11 5. TRIAL DATE. Trial shall commence on **April 15, 2013 at 9:00 a.m.**, in
12 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,
13 California.

14 IT IS SO ORDERED.

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16 DATED: 10/15/12



RICHARD SEEBORG
United States District Judge

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